

ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

CHARLES E. BROWN  
Plaintiff

vs.

COUNTY OF SCHUYLKILL,  
SCHUYLKILL COUNTY PRISON  
BOARD MEMBERS  
SCHUYLKILL COUNTY PRISON  
GERALD BRITTON,  
FORREST L. SHADLE,  
JEROME P. KNOWLES,  
STANLEY TOBASH,  
EUGENE BERDANIER,  
ANTHONY KANKOWSKI,  
DAVID J. KURTZ,  
and WILLIAM BALDWIN  
Defendants

( Civil Action No. 1:CV-00-1224

)

(

)

(

)

(

)

(

)

(

)

(

)

(

)

(

)

FILED  
HARRISBURG

APR - 6 2001

MARY E. D'ANDREA, CLERK

Per *[Signature]*  
DEPUTY CLERK

AFFIDAVIT OF CHARLES E. BROWN  
IN SUPPORT OF MOTION TO REQUEST A DELAY OF  
DEFENDANTS, COUNTY OF SCHUYLKILL, et al., TO DISMISS  
THE COMPLAINT OR, IN THE ALTERNATIVE, FOR  
SUMMARY JUDGEMENT

I, CHARLES E. BROWN, being duly sworn according to law, deposes and says:

1. I am the plaintiff in the above captioned case, an inmate currently incarcerated at the State Correctional Institution (SCI) Albion, and is acting pro se in the interim.

2. Plaintiff has received the Motion of Defendants, County of Schuylkill, et al., To Dismiss the Complaint pursuant to Fed. R. Civ.

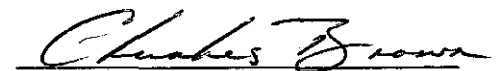
P. Rule 12(b)(6), Motion for a More Definite Statement pursuant to Fed. R. Civ. P. Rule 12(e) or, in the alternative, For Summary Judgement and affidavits by defendants in support of said motion.

3. Plaintiff is requesting a delay of defendants motion due to the fact that he cannot, at this present time, submit the necessary affidavits or other evidence to oppose the Motion to Dismiss Complaint, and Motion for Summary Judgement.

4. Plaintiff is requesting this Court to delay defendants motion, or stay defendants motion until he can further obtain the necessary information.

5. Plaintiff has not had an opportunity to file Notice or conduct a complete discovery. Because defendants have moved to dismiss complaint due to errors within, plaintiff feels that an amendment of complaint is a matter of importance. Also, plaintiff is in need of facts and documents which are in possession of the moving party, therefore, a continuance of Motion for Summary Judgement should be granted as a matter of course.

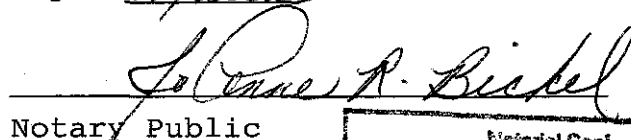
Respectfully submitted,



Charles E. Brown

#EJ-6142

Sworn and subscribed to before  
me, a Notary Public, this 22  
day of March, 2001

  
Notary Public

